

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

(use as many sheets as necessary)

Substitute for form 1449A/PTO

### Complete if Known

Application Number	10/528,456
Filing Date	March 18, 2005
First Named Inventor	AKSELROD Solange Z <sup>TM</sup> et al
Art Unit	3762
Examiner Name	MANUEL, GEORGE C
Attorney Docket Number	29429

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>†</sup>	Foreign Patent Documents	Publication Date DD-MMM-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures <i>Appendix</i>
		Country Code <sup>*</sup> Number <sup>*</sup> Kind Code <sup>*</sup> ( <i>If known</i> )			
	<b>3</b>	WO 2004/026133	01-Apr-2004	Akselrod et al.	
Examiner Signature	/George Manuel/			Date Considered	02/19/2009

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and) by the USPTO to process an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /GM/

PTO/SB-08a (08-03)

Approved for use through 07/31/2006. OMB 065-1-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/528,456
				Filing Date	March 18, 2005
				First Named Inventor	AKSELROD Solange Z <sup>1</sup> et al
				Group Art Unit	3762
				Examiner Name	MANUEL, GEORGE C
Sheet	2	OF	2	Attorney Docket Number	29429
<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the item (book, magazine, journal, serial symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	4	Official Action Dated 02 October 2008 From the US Patent Office Re.: Application No. 10/528,456.			
	5	Baharav et al. "Fluctuations in Autonomic Nervous Activity During Sleep Displayed by Power Spectrum Analysis of Heart Rate Variability", Neurology, 45(6): 1183-1187, 1995. Abstract.			
	6	Berlad et al. "Power Spectrum Analysis and Heart Rate Variability in Stage 4 and REM Sleep: Evidence for State-Specific Changes in Autonomic Dominance", Journal of Sleep Research, 2(2): 88-90, 1993. Abstract.			
	7	Bonnet et al. "Heart Rate Variability: Sleep Stage, Time of Night, and Arousal Influences", Electroencephalography and Clinical Neurophysiology, 102: 390-396, 1997.			
	8	Monti et al. "Autonomic Control of the Cardiovascular System During Sleep in Normal Subjects", European Journal of Applied Physiology, 87: 174-181, 2002.			
	9	Penzel et al. "Systematic Comparison of Different Algorithms for Apnoea Detection Based on Electrocardiogram Recordings", Medical & Biological Engineering & Computing, 40: 402-407, 2002.			
	10	Scholz et al. "Vegetative Background of Sleep: Spectral Analysis of the Heart Rate Variability", Physiology & Behavior, 62(5): 1037-1043, 1997.			
	11	Shinar et al. "Autonomic Changes During Wake-Sleep Transition: A Heart Rate Variability Based Approach", Autonomic Neuroscience: Basic and Clinical, 11P., 2006.			
	12	Shinar et al. "R Wave Duration as A Measure of Body Position Changes During Sleep", Computers in Cardiology, 26: 49-52, 1999.			
	13	Van De Borne et al. "Effects of Wake and Sleep Stages on the 24-h Autonomic Control of Blood Pressure and Heart Rate in Recumbent Men", American Journal of Physiology, Heart Circulation Physiology, 266(35): H548-H554, 1994.			
Examiner Signature	/George Manuel/			Date Considered	02/19/2009

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional).

<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>7</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /GM/